

SECOND REGULAR SESSION

HOUSE BILL NO. 1206

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

4846L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to student interscholastic activities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.745, to read as follows:

167.745. 1. Any student denied the privilege to participate in an interscholastic activity by reason of the student's transfer from one school to another by any person or organization other than the student's parent, guardian, coach, or school may petition the circuit court of the county in which the student attends school for de novo review of such denial. Upon application by the student, the court shall issue a temporary restraining order prohibiting enforcement of the denial of the privilege until a final order is issued in the case by the circuit court or other disposition.

2. No student, team, or school shall be penalized by any organization for permitting a student to participate in an interscholastic activity pursuant to a restraining order issued under subsection 1 of this section.

3. Judicial review under this section shall be based on the best interests of the student making the application. In such review, evidence of the impact of eligibility on any party other than the student making the application shall be inadmissible.

4. Notwithstanding any other law, the provisions of this section shall not apply to situations in which the student has transferred in the middle of a season for the interscholastic activity for which the student has been denied the privilege to participate.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **5. No organization of Missouri high schools shall adopt any rule prohibiting a third**
18 **party other than the student or the student's parent or guardian from paying legal fees or**
19 **volunteering legal services in such appeals.**

20 **6. In the event a student receives a favorable outcome in a petition filed under this**
21 **section, the organization or person who attempted to prohibit the student from**
22 **participating in the interscholastic activity shall be responsible for reimbursing the student**
23 **for reasonable attorney's fees.**

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